

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Duane Larson, Ronald Morris,  
Jr., Robert Cogger, and  
Thomas E. Fisher, Thomas  
J. Warnke, individually, and  
on behalf of all others  
similarly situated,

Plaintiffs,

vs.

SCHEDULING ORDER

The Burlington Northern and  
Santa Fe Railway Company, a  
corporation,

Defendant.

Civ. No. 01-527 (JEL/RLE)

\* \* \* \* \*

At Duluth, in the District of Minnesota, this 31<sup>st</sup> day of May,  
2002.

\* \* \*

By Order dated may 17, 2002, we directed the parties to "meet and confer," and to submit a jointly proposed Pretrial Schedule for the bifurcated portion of Pretrial preparation that will address the Plaintiffs' Class Certification Motion. The parties have submitted such a proposal, which we adopt for cause shown.

NOW, THEREFORE, It is --

ORDERED:

1. That the period during which the parties may conduct discovery on class certification issues shall terminate on **August 30,**

FILED **MAY 31 2002**  
RICHARD D. SLETTEN, CLERK  
JUDGMENT ENTD. \_\_\_\_\_  
DEPUTY CLERK \_\_\_\_\_

**2002**; that disputes with regard to said discovery shall be called immediately to the Court's attention by the making of an appropriate Motion, and shall not be relied upon by any party as a justification for not adhering to this Pretrial Schedule; and that no further or additional discovery on the class certification issues shall be permitted after the above date except by leave of the Court for good cause shown, and agreements between counsel which contravene the provisions of this Schedule will not be recognized.

2. That all Motions which seek to amend the pleadings or add parties must be filed and the Hearing thereon completed on or before **August 1, 2002**.

3. That the types and quantity of class certification discovery shall not exceed the following: 1) thirty (30) class certification interrogatories per side; 2) twenty (20) class certification document requests per side; 3) fifteen (15) class certification fact depositions per side; 4) three (3) class certification expert depositions per side.

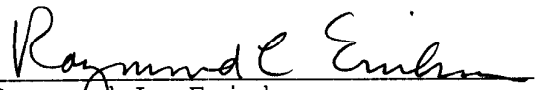
4. That the Motion to certify the putative class must be served and filed no later than **August 30, 2002**.

5. That any nondispositive Motions related to class certification discovery must be served and filed no later than **August 30, 2002**, but, consistent with this Court's "open door policy," the parties are encouraged, for reasons of expedition, to seek the

Court's intervention on pretrial matters, following a responsible "meet and confer" of the parties, through the Court's informal Motion procedure.

6. That, following a ruling on the Class Certification Motion, counsel for all parties are directed to jointly contact this Court's Judicial Assistant for the purposes of scheduling a supplemental Pretrial Schedule.

BY THE COURT:

  
Raymond L. Erickson  
UNITED STATES MAGISTRATE JUDGE

*Featured Speakers Include:*

District of Minnesota

Judge David S. Doty

Judge Donovan W. Frank

Judge Paul A. Magnuson

Judge Ann D. Montgomery

Judge John R. Tunheim

Chief Magistrate Judge Jonathan Lebedoff

Magistrate Judge Arthur J. Boylan

United States Bankruptcy Court

District of Minnesota

Judge Robert J. Kressel

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MINNESOTA CHAPTER OF  
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*28th Annual  
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8:00 am—5:15 pm

Minneapolis Convention Center  
1301 Second Avenue South  
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## Morning Session:

- 7:30-8:00 Registration
- 8:00-8:15 Opening Remarks and Welcome, *Judge Ann D. Montgomery*
- 8:15-9:00 Securities Law Issues in the Wake of Enron, *Timothy J. Warren (SEC Midwest Regional Office), Professor Niels Schaumann (William Mitchell College of Law), Karl L. Canbronne (Chestnut & Canbronne)*
- 9:00-9:45 Current Issues in Employment Law, *Judge Paul A. Magnuson, Linda L. Holstein (Parsinen Kaplan Rosenberg & Gottlieb PA), John R. McDonald (Meagher & Geer, PLLP), Daniel Oberdorfer (Leonard, Street and Delnard)*
- 9:45-10:00 Morning Break
- 10:00-10:45 Current Initiatives in the U.S. Attorneys' Office, *Tom Heffelfinger (U.S. Attorneys Office)*
- 10:45-11:45 Discovery Disputes: Professionalism in the Practice of Law?, *Judge David S. Doty, Chief Magistrate Judge Jonathan Lebedoff, Magistrate Judge Arthur J. Boylan,*
- 11:45-12:45 Lunch (Room 211)

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## Afternoon Session:

- 12:45-1:30 The Clerk's Office Can Be Your New Best Friend, *Celeste Shahidi, Lou Jean Gleason, Mary Lerner, Gertie Simon, Andy Seldon*
- 1:30-2:15 How to Effectively Teach and Persuade in Patent or Intellectual Property Cases: Why, When and How, *Judge Donovan W. Frank, Becky R. Thorson (Robins, Kaplan, Miller & Ciresi), Stephen J. Davidson (Leonard, Street and Delnard)*
- 2:15-3:15 Issues in the Wake of 9/11: Racial Profiling -- *Daniel M. Scott (U.S. Federal Public Defenders' Office), Response by the Department of Justice -- Tony Brown (U.S. Attorneys Office)*
- 3:15-3:30 Afternoon Break
- 3:30-4:15 Update on Technology Tools for Litigating in Federal Court, *Judge John R. Tunheim, Judge Robert J. Kressel, Eric J. Magnuson (Rider, Bennett, Egan & Arundel)*
- 4:15-5:15 Ethics in "Real Life" Practice Situations, *Martin A. Cole (Lawyers Professional Responsibility Office)*

## Seminar Registration

- ☐ Member \$195.00
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